

REMARKS

Claims 1-22 are pending. Claims 4-22 are withdrawn from consideration as being directed to a non-elected invention. In the non-final Office Action dated January 4, 2008, the Examiner made the following disposition:

- A.) Objected to the title of the invention.
- B.) Objected to the drawings.
- C.) Objected to claim 1.
- D.) Rejected claims 1-3 under 35 U.S.C. 102(e) as being anticipated by Mackenzie (U.S. 6,072,317).

Applicants respectfully traverse the rejection and address the Examiner's disposition below.

A.) Objection to the title of the invention:

The title of the invention has been amended as per the Examiner's request to overcome the objection.

Applicants respectfully submit the objection has been overcome and request that it be withdrawn.

B.) Objection to the drawings:

Applicants respectfully disagree with the objection.

The Examiner argues that the drawings should show a hand held transmitter with a single enclosure that plugs into a receptacle. The specification clearly describes, with reference to Figure 10, the claimed hand-held transmitter with a single enclosure that plugs into a receptacle:

In an embodiment, the transmitter can further provide for testing an arc fault circuit interrupter (AFCI). This transmitter test can be included into a transmitter alone or combined with the other transmitter tests described above. That is, the transmitter can perform one or more of the following tests: AFCI testing, GFCI testing, circuit breaker identification, and receptacle wire testing. Figure 10 depicts a schematic diagram of an illustrative transmitter 1000 consistent with the present invention that performs all four of the tests. One having skill in the art will appreciate that the circuit depicted in Figure 10 can be adapted when less than all four tests are implemented in the transmitter.

Transmitter 1000 is preferably a single compact unit having a plastic enclosure. Transmitter 1000 has three prongs P3, P1, and P2 designed to be respectively inserted into the hot, neutral and ground contacts of a 120 VAC receptacle. The transmitter also has three lamps LD1A, LD2A, and LD3A, such as LEDs, which indicate status, and two user-actuatable switches SW1A and SW2A. Switch SW2A effects GFCI testing and switch SW1A effects AFCI testing. The transmitter's circuitry is sealed within the plastic enclosure.

(Specification, page 17, line 26-page 18, line 7)(emphasis added).

Thus, the specification clearly describes to one having ordinary skill in the art the claimed hand-held transmitter with a single enclosure that plugs into a receptacle. Figure 10 shows leads that plug into a receptacle, but does not show the enclosure “body.” Figures 2, 4, and 5 each show a block diagram of an enclosure with leads that can plug into a receptacle. (Specification, page 18, lines 6-7).

Applicants respectfully submit the objection has been overcome and request that it be withdrawn.

C.) Objection to claim 1:

Claim 1 has been amended to clarify the claim language.

Applicants respectfully submit the objection has been overcome and request that it be withdrawn.

D.) Rejection of claims 1-3 under 35 U.S.C. 102(e) as being anticipated by Mackenzie (U.S. 6,072,317):

Applicants respectfully disagree with the rejection.

Independent claim 1, as amended, claims a hand-held transmitter including an enclosure and having a plurality of prongs that plug into a receptacle electrically coupled to a selected branch circuit. The transmitter has a circuit within the enclosure that tests an arc fault circuit interrupter electrically coupled to the selected branch circuit by creating a pulse on the branch circuit that trips the arc fault circuit interrupter. The pulse is created by: generating a timing period signal for generating simulated arc fault pulses by calibrating an internally calculated clock rate of a processor based on a received synchronization signal; and outputting the simulated arc fault pulses at a timing period defined by the timing period signal output by the processor.

This is clearly unlike Mackenzie, which fails to disclose or suggest creating a pulse as claimed by Applicants. Specifically, Mackenzie fails to disclose or suggest generating a timing period signal for generating simulated arc fault pulses by calibrating an internally calculated clock rate of a processor based on a received synchronization signal; and outputting the simulated arc fault pulses at a timing period defined by the timing period signal output by the processor.

Therefore, for at least this reason, Mackenzie fails to disclose or suggest claim 1.

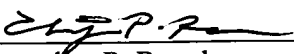
Claims 2 and 3 depend directly or indirectly from claim 1 and are therefore allowable for at least the same reasons that claim 1 is allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

CONCLUSION

It is submitted that claims 1-3 are patentable. Notice to that effect is respectfully requested.

Respectfully submitted,

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